

U. S. DISTRICT COURT  
N. D. OF N. Y.  
FILED

MAR 23 2005

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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AT \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M  
LAWRENCE K. BAERMAN, Clerk  
UTICA

PAUL F. MARSCH,

Plaintiff,

v.

No. 01-CV-1219  
(DNH/DRH)

RENSSELAER COUNTY, et al.,

Defendants.

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**JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT**

The Court has been advised by United States Magistrate Judge David R. Homer that the parties in the above captioned case have reported to him that the case has been settled. Counsel has also advised Judge Homer that no infant or incompetent is a party to this action. Accordingly, pursuant to N.D.N.Y.L.R. 68.2(a), it is hereby

**ORDERED** that:


1. The above captioned case is hereby **DISMISSED** in its entirety **without prejudice** to re-opening upon the motion of any party within sixty (60) days of the date of the filing of this order upon a showing that the settlement was not consummated;
2. The dismissal of the above captioned case shall become **with prejudice** on the sixty-first day after the date of the filing of this order unless any party moves to re-open this case within sixty (60) days of the date of the filing of this order upon a showing that the settlement was not consummated;

3. The Court will retain jurisdiction to enforce the settlement agreement in this case; and

4. The Clerk shall forthwith serve by regular mail or electronic mail copies of this Judgment upon the attorneys for the parties appearing in this action.

**IT IS SO ORDERED.**

DATED: March 23, 2005  
Utica, New York

  
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United States District Judge